



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

October 3, 2012

**By E-Mail**

The Honorable Richard J. Sullivan  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

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Re: **United States v. Vilar and Tanaka,**  
**S3 05 Cr. 621 (RJS)**

Dear Judge Sullivan:

The Government respectfully submits this letter in connection with this Court's October 2, 2012 Order and in response to a letter from the defendants, dated October 2, 2012, requesting immediate release on their own recognizance. The Government opposes the defendants' request.

The Government proposes the following bail conditions for each defendant: a \$10 million personal recognizance bond, secured by an amount of cash or property to be determined by the Court and co-signed by three financially responsible persons; travel restricted to the Southern District of New York, Eastern District of New York, and the District of New Jersey (for Vilar) and the District of residence (for Tanaka); continued surrender of travel documents and no new applications for travel documents; and strict pretrial supervision with electronic monitoring. These conditions take account of Vilar's lack of assets (as represented to the Government and the Court by counsel), are consistent with the defendants' pretrial conditions of release, and make the same conditions applicable to both defendants. Post-conviction, the defendants are hardly in a position to seek terms of release excessively more lenient than those imposed pre-conviction.

Respectfully submitted,

PREET BHARARA  
United States Attorney

By:

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cc: Vivian Shevitz, Esq. (by email)